



RCE/1617#

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REQUEST FOR CONTINUED EXAMINATION (RCE) TRANSMITTAL

Subsection (b) of 35 U.S.C. § 132, effective on May 29, 2000,
provides for continued examination of an utility or plant application
filed on or after June 8, 1995.
See The American Inventors Protection Act of 1999 (AIPA).

| | |
|------------------------|----------------|
| Application Number | 09/277,028/1 |
| Filing Date | 03-19-99 |
| First Named Inventor | SABO, J. T. |
| Group Art Unit | 1617 |
| Examiner Name | WANG, S. |
| Attorney Docket Number | CONLINCO-03681 |

This is a Request for Continued Examination (RCE) under 37 C.F.R. § 1.114 of the above-identified application.

NOTE: 37 C.F.R. § 1.114 is effective on May 29, 2000. If the above-identified application was filed prior to May 29, 2000, applicant may wish to consider filing a continued prosecution application (CPA) under 37 C.F.R. § 1.53 (d) (PTO/SBI/29) instead of a RCE to be eligible for the patent term adjustment provisions of the AIPA. See Changes to Application Examination and Provisional Application Practice, Interim Rule, 65 Fed. Reg. 14865 (Mar. 20, 2000), 1233 Off. Gaz. Pat. Office 47 (Apr. 11, 2000), which established RCE practice.

#1218
4-12-01

1. Submission required under 37 C.F.R. § 1.114

- a. ☐ Previously submitted
 - i. ☐ Consider the amendment(s)/reply under 37 C.F.R. § 1.116 previously filed on _____
(Any unentered amendment(s) referred to above will be entered).
 - ii. ☐ Consider the arguments in the Appeal Brief or Reply Brief previously filed on _____
 - iii. ☐ Other _____
- b. ☒ Enclosed
 - i. ☐ Amendment/Reply
 - ii. ☐ Affidavit(s)/Declaration(s)
 - iii. ☐ Information Disclosure Statement (IDS)
 - iv. ☒ Other PRELIMINARY AMENDMENT AND REMARKS

2. Miscellaneous

- a. ☐ Suspension of action on the above-identified application is requested under 37 C.F.R. § 1.103(c) for a period of _____ months. (Period of suspension shall not exceed 3 months; Fee under 37 C.F.R. § 1.17(i) required)
- b. ☐ Other _____

3. Fees

The RCE fee under 37 C.F.R. § 1.17(e) is required by 37 C.F.R. § 1.114 when the RCE is filed.

- a. ☐ The Director is hereby authorized to charge the following fees, or credit any overpayments, to Deposit Account No. 08-1290
 - i. ☐ RCE fee required under 37 C.F.R. § 1.17(e) 04/10/2001 CCHAU1 00000155 09271024
 - ii. ☐ Extension of time fee (37 C.F.R. §§ 1.136 and 1.17) 01 FC:279 355.00 OP
 - iii. ☐ Other _____
- b. ☒ Check in the amount of \$ 355.00 enclosed
- c. ☐ Payment by credit card (Form PTO-2038 enclosed)

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED

| | | | |
|-------------------|--------------------------|-----------------------------------|--------|
| Name (Print/Type) | J. Mitchell Jones | Registration No. (Attorney/Agent) | 44,174 |
| Signature | <i>J. Mitchell Jones</i> | Date | 4/4/01 |

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| | | | |
|-------------------|-------------------------|------|--------|
| Name (Print/Type) | MARY ELLEN WAITE | Date | 4-4-01 |
| Signature | <i>Mary Ellen Waite</i> | | |

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: Asgeir Saebo *et al.*
Serial No.: 09/271,024
Filed: 03/17/99
Entitled: CONJUGATED LINOLEIC ACID COMPOSITIONS
Group Art Unit: 1617
Examiner: Wang, S.

AMENDMENT TRANSMITTAL

BOX NON FEE AMENDMENT

Assistant Commissioner for Patents
Washington, D.C. 20231

| CERTIFICATE OF MAILING UNDER 37 C.F.R. § 1.8(a)(1)(i)(A) | |
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| I hereby certify that this correspondence (along with any referred to as being attached or enclosed) is, on the date shown below, being deposited with the U.S. Postal Service with sufficient postage as first class mail in an envelope addressed to: Assistant Commissioner for Patents, Washington, D.C. 20231. | |
| Dated: <u>April 4, 2001</u> | By: <u>Mary Ellen Waite</u> Mary Ellen Waite |

Sir or Madam:

Transmitted herewith is an amendment for this application. The fee has been calculated as shown below.

| | CLAIMS REMAINING AFTER AMENDMENT | | HIGHEST NUMBER PREVIOUSLY PAID FOR | PRESENT EXTRA | | RATE | ADDITIONAL FEE |
|-----------------------|-------------------------------------|---|---------------------------------------|------------------|---|-------|-------------------|
| Total Claims | 9 | — | 20 | 0 | × | 18.00 | \$0.00 |
| Independent Claims | 2 | — | 3 | 0 | × | 80.00 | \$0.00 |

TOTAL DUE 0.00

1. No additional fee is required.
2. Please charge any additional fees, including any fees necessary for extensions of time, or credit overpayment to Deposit Account No. 08-1290. An originally executed duplicate of this transmittal is enclosed for this purpose.

Dated: April 4, 2001

By: J. Mitchell Jones
J. Mitchell Jones
Registration No. 44,174

MEDLEN & CARROLL, LLP
220 Montgomery Street, Suite 2200
San Francisco, California 94104
(415) 705-8410



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: Asgeir Saebo *et al.*

Serial No.: 09/271,024

Filed: 03/17/99

Entitled:

CONJUGATED LINOLEIC ACID COMPOSITIONS

Group No.: 161

Examiner: Wang S.

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PRELIMINARY AMENDMENT AND REMARKS

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Assistant Commissioner for Patents

Washington, D.C. 20231

13/B
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4-12-01

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Dated: April 4, 2001

By:

Mary Ellen Waite
Mary Ellen Waite

Sir or Madam:

The following communication is responsive to the final Office Action mailed January 9, 2001. The Applicants respectfully request reconsideration of the application in view of the following remarks.

AMENDMENTS

Please enter the following amendments in the above-referenced application.

IN THE SPECIFICATION:

On page 7, please replace the first full paragraph with the following rewritten paragraph, in accordance with 37 CFR 1.121(b)(1)(i-ii).

In some embodiments, the low impurity CLA described above may be provided as acylglycerols or alkylesters. Accordingly, in some embodiments, an acylglycerol composition is provided which comprises a plurality of acylglycerol molecules wherein the acylglycerol

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